The proposal docket RM10682 should not be adopted by the commision as proposed.

1) The need for an additional ultra-short range or ultra-ultra short range communications service has not been demonstrated in this petition.

2)No definition of ultra-short or ultra-ultra short is provided and there is not a standard definition provided in the FCC rules.

3) Homebrew communications devices operating at an output power of 1/10 watt are already permitted under part 15.235, in the band 49.820 -49.890. Allowing commercial devices to operate in this range using a 7Khz channel separation, would provide more frequencies than are requested by the proposal, and would be compatible with existing usage by homebrew electronics users.

4) Low Power Spread Spectrum operations are permitted in other bands by sections 15.247, and 15.249. Before the reallocation of existing channels in other services, the feasibility of using these frequencies, and those from #3 above should be evaluated.

5) The GMRS service would be adversely affected by an influx of low power ultra short and ultra ultra short range devices on its assigned frequencies. Specifically, the GMRS repeater input frequencies should be excluded from any proposed new services or extension of existing services in order to prevent the accidental keying of repeaters by low power devices. In addition, the existence of and usage of high power GMRS transcievers (40-50 watts) on GMRS simplex frequencies along with the wide area coverage of GMRS repeaters (40-50 watts, 400-500 watts ERP), would render the ultra-short range and ultra-ultra short range equipment unusable in many areas where these establised systems are present.

6) In keeping with the goal of promoting spectrum efficient technologies, any new service of the type proposed should be limited to 6khz total bandwith, and limited to frequencies assigned as such. While the interoperability between 12.5 and 25 KHz equipment has been studied and documented, the same has not been done for 6Khz equipment's interaction with 12.5 and 25Khz equipment.

7) The need for "storm weather watch" broadcasts at high power on FRS/MURS/FRS-II/MURS-IIU is not required due to the integration of NOAA weather broadcast channels and corresponding alert capabilities in current FRS devices.

8) The use of FRS/MURS/FRS-II/MURS-II radios for contact of police or other authorities on license free radios at events, while an interesting concept is not practical nor required. The Police use radios in the Part 90 Public Safety Pool, and Event coordinators generally use Part 90 Industrial Group radios for their traffic. Requiring them to monitor an unlicensed frequency for possible emergency traffic would be an unneccessary distraction and an inefficient usage of resources.

9) The example of a communications system for use between skiers and the ski patrol could better be accomplished by use of a Part 90 license and equipment, owned, maintained, and coordinated by the ski lodge/ski patrol.

10) The limited range possible at low power on the proposed UHF frequencies makes the efficient usage of these radios for safety and calling purposes in an emergency unlikely. Stating this as a proposed usage of the new radio system could undermine current life and safety systems by giving consumers a false

sense of security and causing them to not carry other equipment such as cellular telephones, avalanche beacons, or Citizens Band radios which are part of established emergency systems in favor of these radios. GMRS users already have an established calling procedure using standard tones on GMRS repeaters. Citizens Band radio has an established emergency channel (9) which is already monitored by numerous public safety and private aid agencies.

8) Interference caused by the widespread usage of unlicensed devices on a shared basis with part 90 IB or GMRS users would be difficult, if not impossible, to track and eliminate. Consumers who purchase such devices may not be willing to cease operations after having purchased the equipment. This interference could be detrimental to the life and safety activities conducted on GMRS by REACT and other citizen volunteer teams, as well as the normal day to day operations of the GMRS service. Therefore, the proposal that the unlicensed usage of these frequencies would occur on a secondary non-interference basis to the primary licensed users is not practical.

9) The existence of "bubble pack" radios with a combination of licensed and unlicensed frequencies (FRS/GMRS) has already resulted in problems from unlicensed users either intentionally or unintentionally operating in the GMRS service, including the unauthorized (whether intentional or unintentional) keying of wide area GMRS repeaters by bubble pack radios. The addition of other unlicensed users to these frequencies would place undue additional strain on the service and potentially make it unable to meet its stated goals. The GMRS users would then have to be relocated to other spectrum to maintain the usability of the service.

10) Many GMRS licensees have considerable investment in the GMRS service , including repeater equipment and siting. The addition of unlicensed users to the frequencies employed by the service would have an adverse affect upon the quality of service experienced by incumbent users requiring additional investment in additional/replacement equipment.

11)If frequencies are to be chosen for new unlicensed spectrum, efforts should be made to ensure the minimal impact to incumbent licenses. In the frequencies assigned to Part 90 Industrial and Public Safety services, The density is between 10,000 and 50,000 licensees per Mhz of spectrum. In 74.402, two ranges, 450-451mhz, and 455-456mhz are assigned which are channelized into 28 channels each, and have between 3000 and 5000 users per Mhz of spectrum. Between 457.625 and 457.725 18 channels are assigned to Part 90 in 1/10th the spectrum. Rechannelizing these part 74 ranges to comply with the current part 90 bandwidth standards would yield approximately 360 total channels. Existing users could be consolidated, and the remaining channels could be reassigned to other purposes.